4716

BILL NO. X-80-01-20

ANNEXATION ORDINANCE NO. X-01-80

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the Northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Southeast corner of

Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and

effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

Mark E. Gia[illegible]

Councilperson

Approved as to
form and legality

Approved as to form and legality
January 9, 1980, for the City Attorney

Paul W. Philips

Paul W. Philips, J.D.
Counsel, Law Department

approved by
John C. Hoffman
City Attorney

Read the first time in full and on motion by Gia Quinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee appropriations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: 1-22-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	0		1	
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.				✓	
SCHOMBURG	✓				
STIER	✓				
TALARICO	✓				

DATE: 2-12-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (ANNEXATION) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

John S. Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:20 o'clock A M.,E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 19th day of Feb. 1980, at the hour of 8 o'clock A M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. X-80-01-20

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK GiaQUINTA, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

JAMES S. STIER

PAUL M. BURNS

SAMUEL J. TALARICO

2-12-80
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CL

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

R E S O L U T I O N

of the

City Plan Commission

The City Plan Commission of the City of Fort Wayne does hereby approve the proposed annexation of Breconshire, Annexation Bill No. X-80-01-20 and Resolution No. R-80-01-21, and recommends that X-80-01-20 and R-80-01-21 receive a DO PASS from the Common Council of the City of Fort Wayne.

T. Joyce Schlatter

Joyce Schlatter
Secretary

Memorandum

To Members of the City Council Date 1-29-80

From Paul Norby

Subject Voluntary Annexation of Breconshire

COPIES TO:

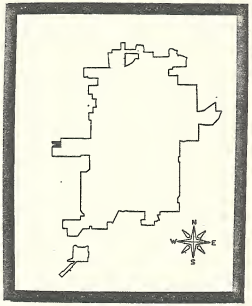
V. Schmidt
GiaQuinta
Burns
Eisbart
Nuckols
D. Schmidt
Schomburg
Stier
Talarico
Logan
Westerman

At its January 28, 1980 business meeting the City Plan Commission recommended the passage of the Breconshire Annexation, X-80-01-20 and R-80-01-21. This is a voluntary annexation petitioned for by all of the property owners located west of the City, east of Getz Road, north of Covington Road and south of Illinois Road. It includes 47.5 acres which are currently vacant. Several stages of residential development are planned, taking several years to complete.

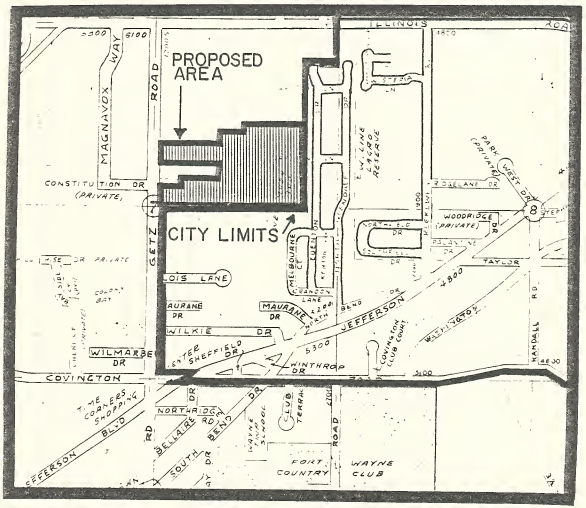
Annexation at this time will allow for development using city standards, thereby avoiding potential future problems for the City. City utilities will be serving the area. Furthermore, the developer intends to follow County open space requirements which surpass those of the City. A fiscal plan has been prepared as required by R-56-79. It shows that the area can be served by the City and that revenues should exceed costs.

Please inform us of any public hearings or annexation committee discussions of this matter, so that we may attend to answer your questions.

BRECONSHIRE ANNEXATION



CITY OF FORT WAYNE
DEPT OF CD&P



INTRODUCTION

The proposed Breconshire annexation area is located west of Fort Wayne in Wayne Township. The Fort Wayne area is expected to continue growing, and this is one area that could absorb residential development. Part of the Breconshire area has already received Allen County Plan Commission final approval for development as a residential subdivision. That ground is still undeveloped as is the rest of the area. The annexation area is adjacent to the urban area, can be served with city utilities sewers, has adequate road access and is close to supportive commercial centers. Thus, it is well suited for adjacent growth.

Annexation at this time would provide the City of Fort Wayne with planning control for most of the area. New development would then have to be consistent with City standards and policies. Also, there would be no doubt that urban services would be provided by the City. This saves duplication and promotes more efficient and effective service provision.

The owners of the territory involved have petitioned the City for annexation. More than fifty-one percent (51%) of the owners did sign the petition and the area is contiguous to the City based on Annexation Ordinances X-21-68, Times Corner, and X-25-68, Westmoor Extended.

The City Council has adopted General Annexation Resolution R-56-79. This resolution requires that a fiscal plan meeting the criteria of State annexation law (I.C. 18-5-10-25) be prepared. This report does so by giving cost estimates of services to be provided, by stating the methods of financing these services, by giving a plan for extending these services, and by showing how non-capital and capital services will be furnished within one year and three years respectively, as required. Additionally, this plan summarizes the fiscal impact of annexation upon the City and makes a recommendation.

BASIC DATA

1. Location

Generally located west of the City of Fort Wayne in Wayne Township, east of Getz Road between Illinois and Covington Roads.

2. Size

47.5 acres or .07 square miles.

3. Population/Density

There are 2 dwelling units and 5 persons in the area.

4. Buildings

Type	Number	Condition
Residential	2	Good to Excellent

5. Land Use

Residential	2 Acres	(4%)
	45.5 Acres	(96%)

6. Zoning

County Zone	Description	City Zone	Description
All RS-1	Single Family	R-1	Single Family

7. Planning

At this time the Breconshire area is undeveloped. The Allen County Comprehensive Plan considers this area as suburban residential in its 1990 land use plan.[1] Part of the area has already received final approval for residential subdivision development. It is clear, then, that the area is likely to absorb some of the population growth forecast for Allen County. Breconshire is located within the area proposed for annexation by the City's Annexation Policy and Program Study.[2]

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1. Allen County Plan Commission, Allen County Comprehensive Plan, 1990 Land Use Map Insert, May 1976.

2. Community Development and Planning, Annexation Policy and Program Study, 1976

Annexation and eventual urban development of the area are highly compatible. The growth would be adjacent, which allows for more efficient planning and delivery of urban services and minimizes the problems of scattered growth. This concept has been adopted by the County and City Plan Commissions. Annexation furnishes the means for providing necessary services to the area. Furthermore, the principal governmental unit for providing urban services, the City, would clearly have the responsibility for doing so in the Breconshire area.

Road access to the area is already available via Getz Road. The part of the area already approved by the Allen County Plan Commission will be served by City Utilities sewer and water. Sewer and water utility extension, storm drainage provision, and street and street lighting capital improvements will be the responsibility of the eventual developer(s).

At the time of this report, only the first phase of a likely four phase development process is underway. Consequently, it is impossible to project the amount of development that will occur within the three year time line of State annexation law. Complete development is almost out of the question. Regardless, with the area in the City, the City will be intimately involved in regulating the development of the area and will provide required urban services as needed in accord with local, state, and federal laws, procedures and planning criteria.

MUNICIPAL SERVICES

State law requires that within one (1) year of annexation, the City provides the annexed area with "planned services of a non-capital nature" which are "equivalent in standard and scope" to those noncapital services provided to similar areas in the City. The law also requires "that services of a capital improvement nature...be provided within three (3) years of the effective date of the annexation, in the same manner as those services are provided" to similar areas within the City. Cost estimates of the services, methods of financing the services, and a plan for the organization and extension of services are also required. (I.C. 18-5-10-25 (C)). This report contains a fiscal plan for doing so.

In 1979 the Fort Wayne City Council adopted Resolution No. R-56-79 that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-56-79.

Municipal services are analyzed in terms of the needs of the Breconshire annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the Breconshire area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new utility service, the standard service provision processes will be used just as they are used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include property owner petitioning and financial participation. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in the Breconshire annexation area are presented in the following reports.

This is a plan to provide municipal services, which the City of Fort Wayne is committed to do. The exact implementation details may change as needs are re-evaluated and services re-allocated throughout the entire city. Standard City policy could also change, necessitating change in the manner and amount of service provided. Regardless of the change in details, the services will be provided to the Breconshire area in the same manner and level that they are provided elsewhere in the City.

Once the annexation becomes effective, the departments of the City of Fort Wayne will be notified so that they can appropriately modify their areas of jurisdiction. Then this plan can be implemented.

At this time, development in the area is almost nill with only two dwelling units in use. Even though full services will be provided, it is virtually impossible to calculate the cost of serving the areas 45 acres of vacant ground and five residents.

The precise timing of development is unknown. A development plan has been approved for only part of the area. The likely developer has estimated that there could be 90 residential units in the area by the end of three years. Until detailed plans are submitted, several departments cannot estimate future expenses. This is similar to the Wheatridge I annexation in that the general character and size of the development are known in advance.[1] However, unlike Wheatridge I, detailed information is available for only part of the area. So, only general estimates of eventual costs and revenues, as well as the relationship of these factors, can be made. Wheatridge I can serve as a model for doing so. These estimates are provided in the financial summary as a decision making guide only. The detailed service plans are tailored for current development and for handling the development process. City costs will approach the three year estimate only gradually, if at all.

1. Police

The Fort Wayne Police Department will become responsible for servicing the area immediately upon annexation. This service generally includes the prevention and detection of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

The Breconshire area can be covered by the Police Department by adjusting District 5. With the current level of development, the expense would almost be nill. The County is responsible for Getz Road, but the City would routinely patrol the area itself, as required. No cost estimate can be made for such a minimal level of development.

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1. Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, Ordinance No. X-02-79, 1979

Future development will require more extensive police coverage. Using the already approved Highview Park annexation (X-06-79) as a model, roughly 7 trips a day, on the average, will be required for the amount of development expected within three years. Breconshire will have 1.3 miles of streets compared to Highview's 3.1 miles and 90 dwelling units compared to Highview's 114 plus 7 commercial structures.

The cost of police service in Highview was estimated at $9,000 a year.[1] Comparing this to Breconshire, the average annual cost at the end of three years should be roughly $2,500 to $3,500.

Regardless of the eventual cost, the Police Department will provide the area with service substantially equivalent to that provided similar areas within the City. Service will begin upon annexation with adjustments in the provision of service to be based on constant evaluation of the area's and City's needs.

Funding for the manpower and equipment used to serve the area will come from the regular Police Department Budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

ESTIMATED ANNUAL COST: Not calculable for time of annexation. Estimated annual cost in Year 3 would be from $2,500 to $3,500. (No inflation)

2. Fire

The Fort Wayne Fire Department will provide immediate service to the Breconshire area upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials and personnel to the proposed annexation area in the same way as it responds to similar locations within the city. Initial response will be from Station #7 at Lindenwood and Spring. Assistance will come from Station #2 on Taylor Street. Additional City units could be called to assist as could the Wayne Township Fire Department. The annexation area is immediately adjacent to areas already served by the Fire Department and is not any farther from the fire stations than the adjacent areas. Therefore,

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1. Community Development and Planning, Highview Park Fiscal Plan, Bill No. X-77-07-45, Ordinance No. X-06-79, 1979, P. 6.

response times should be acceptable. Fire hydrants will be required of the future development and will be provided by the developer.

Clearly, the responsibility for an additional 2 structures of the type in this area will not result in significant additional costs. The only additional cost from the projected level of development at the end of the three years would be for operating expenses. Using the Wheatridge I annexation (X-02-79) as a model, this could run up to $165.00.[1] Funding would be through the regular Fire Department Budget which comes out of the General Fund and is raised mostly by local property taxes.

Long range fire protection master planning will evaluate the need for providing a City fire station west of Stations #2 and #7. Although the Breconshire annexation does not require this action, Breconshire would benefit from it.

ESTIMATED ANNUAL COST: $0
Maximum cost in three years would be $165.00 annually. (No inflation)

3. Emergency Medical Services (EMS)

Immediately upon annexation, the Breconshire annexation area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention.

EMS response will usually come from the unit stationed at Fire Station #1 in downtown.

The Fire Department is training its personnel so that in the near future there will be a trained emergency medical technician at each station and on all runs. They will be able to administer medical treatment before the ambulance arrives to transport the victim. Therefore, a fire unit from Station #7 or from #2 will respond to emergencies when necessary.

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1. Community Development and Planning and The Fort Wayne Fire Department, Wheatridge I Fiscal Plan, X-02-79, P. 7.
An estimate was made of the annual number of fire runs and EMS support runs. Using an average cost for each piece of equipment that rolls on each run an annual cost was calculated. Labor was not included as additional personnel is not needed.

Using a rate of .08 runs per person per year, the area would generate less than one run per year. At a cost of $30 per run, the annual cost should be $30 at the most. Should 90 dwelling units be in the area by the end of three years, the average annual cost would be $690.00.

The source of funding for Emergency Medical Services is the General Fund.

ESTIMATED ANNUAL COST: $30
Maximum cost in year three would be $690.00. (No inflation)

4. Solid Waste Collection

Under the terms of the present contract, the cost of solid waste collection is $40 per household per year. With 2 single family dwelling units, the total cost will be $80 per year. If additional personnel are needed, they will be hired by the contractor. The City will pay this cost from the General Fund.

With a possible 90 dwelling units in three years the cost would be $3,600 in 1980 costs. However, if some of the units are multi-family, solid waste collection will not be provided by the City.

ESTIMATED ANNUAL COSTS: $80
Maximum annual cost in three years of $3,600 (No inflation)

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in the area upon annexation. Right now there are no public roads in the area, so there will be no expense.

The City will be concerned with regulating traffic control features of future development. Using the Wheatridge I Fiscal Plan, X-02-79, as a model for serving new developments that are annexed before substantial construction, the most likely expense will be for maintenance of traffic signs. Given the newness of the area, as well as the fact that the City will regulate the development process, this expense should be almost nill and cannot be estimated at this time.[1]

The sources of funding for any future improvements and/or Traffic Engineering service are the General Fund, Revenue Sharing Funds, and occasionally, Motor Vehicle Highway Funds.

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1. Traffic Engineering and Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, Ordinance X-02-79, P. 8.

6. Street Lighting

There will be no costs for street lighting as no roads are being annexed. When the area is developed, the developer will have to pay the street lighting capital costs, with lighting installation to be regulated by the City. Eventual energy and maintenance costs cannot be determined at this time since the timing and precise nature of development is unknown. Funding will come from the Street Lighting Fund which in recent years has been paid out of City Light Lease monies.

7. Streets and Roads

Since there are no public streets or roads in the area at this time, there will be no street maintenance or construction costs. The eventual developer will pay for street installation, which will have to meet City standards and satisfy public safety requirements. The City will then assume maintenance responsibility.

The part of Breconridge already platted has .3 of a mile of streets included in the plat. Another mile is planned for the remainder of the area. At an average per mile cost of $2,500 for maintenance, it would cost $3,250 a year to maintain the streets. The timing for incurring this cost is unknown. The source will be the Street Department Budget.

8. Parks

The current population of the area does not warrant park development by the City. Area residents will be able to use all the recreational facilities being provided by the City Parks and Recreation Department.

Under current policy, the Park Department is not providing neighborhood parks for new subdivision. Instead, during the development plan approval process, the Park Department will encourage the developer to provide adequate neighborhood park space and facilities. The plat for the first phase of Breconshire already includes .75 of an acre of recreation space. Additional acreage is planned for the remaining development phases. Maintenance will be the responsibility of the neighborhood association to be formed in Breconshire.

Costs for a Funmobile stop and for street tree maintenance cannot be established at this time. A Funmobile will not be provided until the need is established and interest shown. Street tree maintenance costs cannot be established until there is knowledge that they will be installed and to a specific extent.

9. General Administrative Functions

Upon annexation all administrative functions of the City will be available to the annexation area. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayors Office, The Board of Works, Metropolitan Human Relations, and so on. Under the rubric of General Administration would be included all the regulatory and program functions of the various City departments. When annexation becomes effective City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area.[1] It is, however, the position of the City Controller that an expansion of the size proposed here can be absorbed by the City departments through their regular budgets. These budgets are developed with consideration of annexation. Therefore, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, monies from the State (MVH for example) and in some cases, Federal Grants.

1. Community Development and Planning, Annexation Program and Policy Study, 1976.

FORT WAYNE UTILITIES

Water and sewer services will be provided the area by City Utilities. These services will be paid for by the developer and then by user charges. No Civil City property tax revenues will be used to provide the utilities, although there is a useage charge for fire hydrants.

1. Water

   The Fort Wayne Water Utility has the capacity to provide water to the area. All of the necessary feeder mains are either in place or under contract for extension. Distribution main extensions will be paid for by the developer.

2. Fire Hydrants

   Within the corporate limits, the Civil City pays the Water Utility a $151.20 usage fee for each fire hydrant. This will be incurred once development takes place in Breconshire. There will initially be four (4) fire hydrants for an annual usage fee cost of $604.80, with additional fire hydrants added and charged at the same rate as area development progresses.

3. Sanitary Sewers

   Breconshire will be developed using City Utilities sanitary sewers. They will be installed at the developer's expense. Maintenance costs will be paid for through City Utilities revenues irrespective of annexation. No Civil City property tax revenues will be used for the construction or maintenance of sanitary sewers in the area.

4. Storm Drainage

   The storm sewer system will be installed by the developer. The City will regulate storm drainage planning and facilities effectively through the development review process. Thus, the City will make sure that an adequate storm water drainage system is provided by the developer(s) of the Breconshire area.

FINANCIAL SUMMARY

1. Revenue

Revenue from the Breconshire annexation will change significantly as the area developes. Again, the only known quantity is the current level of development. Thus, potential revenue varies radically from definite revenue to be gained shortly after annexation.

The estimate of 90 dwelling units within three years does provide a preliminary population projection. Yet, under present economic circumstances and in the absence of an approved final development plan for the entire area the timing and value of this development can only be guessed at.

At this time the total assessed valuation in the area is $30,250. Applying the 1979 tax rate of $3.9068 per $100 assessed valuation, the City would receive $1,183 a year in property taxes from the area. This figure has to be used with caution, since the tax rate for 1980 has not been set and will be the one applied to this area.

Other sources of revenue for the City are based upon population. The four sources are the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, and Cumulative Capital. The table below gives an estimate of the monies to be received.

Revenue Source		Population	Total
MVH	$9.37/CAP	5	$46.85
Alcoholic Gal.	1.62/CAP	5	8.10
Cigarette	1.24/CAP	5	6.20
Cumulative Cap.	4.62	5	23.10
			$84.25

The money received from the Alcoholic Gallonage and the Cigarette Tax are placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or upon approval of the City Council, it may be placed in the General Fund. The area must be in the City by December 31, 1979, for the City to receive these funds in the 1980's.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Fund is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of Breconshire cannot be calculated. Still, these funds should increase with population increases.

Estimating the revenue from future development is a hazardous undertaking. This was attempted for the Wheatridge I Annexation, X-02-79, which is a convenient model.[1]

Assuming 90 single family units in Breconshire at the end of three years, assuming no substantial increases in the allowable tax levy, and assuming that the value of development will be roughly similar to that of Wheatridge I, the City can expect in the vicinity of $34,000 a year in property tax revenue from the area at the end of three years. Population based revenue would be in the area of $5,000 annually. The City would not receive population based revenue in the 1980's because the population would not be included in the 1980 Census counts.

1. Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, X-02-79, 1979

2. Expenditures

Expenditures reported here are those that will be incurred to the Civil City. The starting point, and the only reasonably certain expenses, are those of serving the current development. An estimate of the costs with 90 units can be obtained by extrapolating from the Wheatridge I, X-02-79, Fiscal Plan. Wheatridge I was not developed at the time of annexation and is reasonably close in projected type, and quality of development to Breconshire. Extrapolations from Wheatridge I, and the maximum costs reported in the municipal services reports, are discussed in detail in the Summary. Shown below are the costs to be incurred from annexing Breconshire as it now exists.

Service	Capital Cost	Annual Operating Cost
Police	-	-
Fire	-	-
EMS	-	$30
Solid Waste Col.	-	$80
Traffic Control	-	-
Street Lighting	-	-
Parks	-	-
General Administration	-	-
Fire Hydrants	-	-

3. Financial Summary

In this case, unlike other annexations, a five year summary is not that enlightening. Since the area is virtually undeveloped at this time, the cost of services is extremely low. This plan estimates it to be $110 annually. Property tax revenues will be $1,183 annually.

When a projected total of 90 dwelling units within three years of annexation is considered, the basic relationship of cost to revenue should be roughly the same as those of Wheatridge I, X-02-79.[1] In that case revenues exceeded costs. This should hold for Breconshire even without population based revenue. The Police service cost for Breconshire will be less per capita than for Wheatridge I because of a methodological change. In this report estimated annual costs for this amount of development are given for police service (3,500), Fire Protection ($165), EMS ($690), solid waste collection ($3,600), street maintenance ($3,250), and fire hydrant usage ($605).

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1. Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, X-02-79, P. 15.

Other costs cannot be estimated at this time, as explained in the service reports. Yet, it seems clear that no costs should be much greater per unit than those estimated for Wheatridge I. Consequently, it is fair to assume that revenue will exceed costs over the course of three and five years.[1] Also, costs will increase gradually with phased development. This will soften the effect of the one year of service without revenue associated with annexation.

1. Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, X-02-79, P. 15.

SUMMARY AND RECOMMENDATIONS

1. Indiana Annexation Statutes

As a voluntary annexation, the Breconshire annexation meets the criteria of Indiana law, I.C. 18-5-10-23, by being contiguous to the City and by having been petitioned for by more than fifty-one percent (51%) of the property owners.

Indiana law is not clear on the need for a fiscal plan for a voluntary annexation. However, one has been prepared and it does meet the fiscal plan criteria of I.C. 18-5-10-25. These criteria have been adopted by the City of Fort Wayne by Resolution R-56-79 for all annexations. The criteria of State law are:

"The annexing city has developed a written fiscal plan and has established a definite policy , by resolution of the common council, as of the date of passage of the annexation ordinance, showing:

(a) the cost estimates of planned services to be furnished to the territory to be annexed;

(b) the method or methods of financing the planned services;

(c) the plan for the organization and extension of services;

(d) that planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services which are normally provided within the existing corporate boundaries, will be provided within the annexed territory within one (1) year from the effective date of annexation, and that they will be provided in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density; and

(e) that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the effective date of the annexation, in the same manner as those services are provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and

(f) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation, but nothing herein shall require the annexing authority to hire any employees."

This document is the written fiscal plan which establishes a definite policy for providing municipal services to Breconshire within the specific time limits, as required by the Indiana Code. Once the annexation is passed by the Common Council, this document will be adopted and become an official document of the City. When the annexation becomes effective City departments will be notified and will modify their jurisdictions accordingly so that the plan can then be implemented.

Police and fire protection, emergency medical services, solid waste collection, and traffic control services are considered essential for the health and safety of the Breconshire annexation area residents, and will be available at standard levels upon annexation. All other non-capital services, such as street lighting, street maintenance, and all administrative functions of the City will also be provided upon annexation and in the same manner as they are normally provided within the City. As already indicated, at this time there are no public streets in the area so street lighting, street maintenance, and traffic control services are not required. Neither are additional park services as the area's population does not warrant additional service. Part of Breconshire is platted and some development is likely in the near future. Services will be provided to this development, but the precise timing is not known.

Future development will require streets, street lights, traffic control facilities, sewers, water service, and storm drainage. The City will regulate the provision of these services by the developer. Maintenance costs will then be assumed by the City and City Utilities in accord with routinely used policies and procedures.

The cost estimates of the planned services were obtained from the service departments and are included in this document. The method or methods of financing for each service is also included, as well as the plan for the organization and extension of services.

The Financial Summary shows the cost of providing these services, as well as the additional revenue the Civil City will receive.

This annexation will not eliminate the jobs of any employees of other governmental entities, so no plans for the hiring of such employees are needed.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes:

a. The area proposed for annexation must have a unity of interest with the municipality.

The Breconshire annexation area is needed for the future urban development of Fort Wayne. Once the area is urban, it will clearly be a part of the Fort Wayne Urban Community. The residents will participate in the Fort Wayne job market, retail trade, service community, and will use City services. Also, the Breconshire area will be developed using City Utilities sewer and water.

b. The advantages to the proposed annexation area must outweigh the disadvantages.

Most of Breconshire will be developed at city standards which simplifies matters more than a later annexation would. Also, the full range of Fort Wayne's municipal services will be provided. Annexation helps Fort Wayne remain viable which is a benefit to the eventual area residents. The only disadvantage is the higher tax rate.

c. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation prevents inequities in the tax burden shouldered by City residents and by the eventual Breconshire residents. Also, annexation assures that duplication of service will be minimized and that the City will have planning jurisdiction over the future development of the area.

d. The deficit of income against expenses to the City must not be unreasonable.

As shown in the Financial Summary, upon annexation, there will not be a deficit of income to revenue. Projections are that this pattern will continue.

e. The City must desire to annex the area.

The Breconshire annexation is a voluntary one and it conforms to the proposed annexation area of the Annexation Policy and Program Study.[1] The area is likely to develop. Therefore, for Fort Wayne to grow with the urban area, Breconshire must be annexed.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the state legal and the local criteria for annexation.

1. Community Development and Planning, Annexation Policy and Program Study, 1976, P. 42

4716

Admn. Appr. _____

DIGEST SHEET

X-80-01-20

TITLE OF ORDINANCE Voluntary Annexation of Breconshire

DEPARTMENT REQUESTING ORDINANCE CD&P

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne.

EFFECT OF PASSAGE Described territory is annexed to the City. Other effects to be described by Fiscal Plan to be prepared by CD&P.

EFFECT OF NON-PASSAGE Area does not become part of City contrary to desires of owners.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by Fiscal Plan to be prepared by CD&P.

ASSIGNED TO COMMITTEE (J.N.) Annexation

VICE PRESIDENT OF THE COMMON COUNCIL

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122 -:- james s. stier-:- councilman, 6th district

February 21, 1980

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of February 25 and March 3, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common
Council of Fort Wayne, IN

Bill No. X-80-01-20
Annexation Ordinance No. X-01-80

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Tahnk you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 12th day of February, 19 80, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following X-01-80 Annexation Ordinance, to-wit:

BILL NO. X-80-01-20

ANNEXATION ORDINANCE NO. X- 01-80

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the Northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Southeast corner of

Lot #16 of said Pavey's Subdivision

being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

as described in Section [illegible]

of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta
Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 2-12-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of February, 1980, at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common Council on the 12th day of February, 19 80, and that said Ordinance was duly signed and approved by the Mayor on the 19th day of February, 19 80 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of February, 19 80.

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

SEAL

Notice is hereby given that on the 12th day of February, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-01-20, X-01-80 Annexation Ordinance, to-wit:

BILL NO. X-80-01-20

ANNEXATION ORDINANCE

NO. X-01-80

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

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Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

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Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in section 3.9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta, Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight: Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier, Talarico.

Nays: None.

Absent: One - V. Schmidt.

Date 2-12-80

Charles W. Westerman, City Clerk

2-25/3-3

General Form No. 99 P (Rev. 1967)

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Board of Accounts		
Wayne Common Council		
Dental Unit)		
County, Ind.		
ter (Must not exceed two actual lines, neither of which shall total more than four solid lines the type in which the body of the advertisement is set) – number of equivalent lines		
umber of lines		
umber of lines		209
mber of lines		2
otal number of lines in notice		211
RGES		
lines, 1 columns wide equals 211 equivalent lines at .253¢		$ 53.38
cents per line		
harge for notices containing rule or tabular work (50 per cent of above amount)		
extra proofs of publication (50 cents for each proof in excess of two)	3 extra	1.50
OTAL AMOUNT OF CLAIM.		$ 54.88
NG COST		
single column 9.6 picas	Size of type 6 point	
of insertions 2	Size of quad upon which type is cast 6	

in and penalties of Ch. 89., Acts 1967.

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of it has

Title CLERK

19 80

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

2/25 - 3/3/80

Arvilla Dewald

Subscribed and sworn to before me this 3rd day of March 19 80

Notary Public

My commission expires September 28, 1983

COPY OF

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

John Nuckols, Presiding Officer

Charles W. Westerman, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 19th day of February, 1980 at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr., Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common Council on the 12th day of February, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 19th day of February, 1980, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of February, 1980.

CHARLES W. WESTERMAN,
CITY CLERK

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Head	number of lines	
Body	number of lines	209
Tail	number of lines	2
	Total number of lines in notice	211

COMPUTION OF CHARGES

211 lines, 1 columns wide equals 211 equivalent lines at .253¢ $ 53.38
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM. $ 54.88

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type 6 point

Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing accounr is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Orville D. Tall

Date March 3, 19 80 Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK (of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town and county aforesaid, and that the printed matter attached hereto is a true copy, was duly published in said paper for two times the dates of publication being as follows:

2/25 - 3/3/80

Arvilla DeWald

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council

(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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Size of type 6 point

Size of quad upon which type is cast 6

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2/25 - 3/3/80

3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983

"Notice is hereby given that on the 12th day of February, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-01-20. X-01-80 Annexation Ordinance, to-wit:

BILL NO. X-80-01-29

ANNEXATION ORDINANCE NO. X-01-80

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

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Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 12', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta, Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight: Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier, Talarico.

Nays: None.

Absent: Cree - V. Schmidt.

Date: 2-12-80

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

John Nuckols, Presiding Officer

Charles W. Westerman, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 19th day of February, 1980 at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr., Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common Council on the 12th day of February, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 19th day of February, 1980, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of February, 1980.

CHARLES W. WESTERMAN, CITY CLERK

2-25/3-3

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	209
Tail	number of lines	2
	Total number of lines in notice	211

COMPUTION OF CHARGES

211 lines, 1 columns wide equals 211 equivalent lines at .253¢ cents per line $ 53.38

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM. $ 54.88

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date March 3 19 80

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and fot said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times ,the dates of publication being as follows:

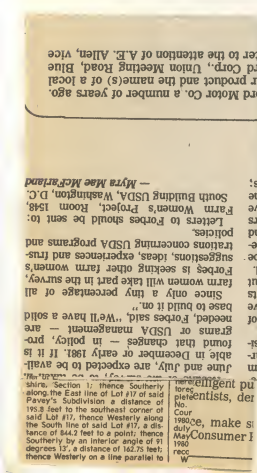
2/25 - 3/3/80

Arvilla DeWald

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983



Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM. $ 54.88

DATA FOR COMPUTING COST

Width of

Number o

Pursuant to the provisio

I hereby certify that the f
has been paid.

Date March 3 19

ATTACH
ADVERTISE

Notice is hereby given that on the 12th day of February, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-01-20, X-01-80 Annexation Ordinance, to-wit:

BILL NO. X-80-01-20

ANNEXATION ORDINANCE NO. X-01-80

AN ORDINANCE annexing certain territory, commonly known as

Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2138.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.2 feet to the northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 912.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #20 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point: thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta, Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight: Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier, Talarico.

Nays: None.

Absent: One - V. Schmidt.

Date 2-12-80

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

John Nuckols, Presiding Officer

Charles W. Westerman, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on tha 13th day of February, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 19th day of February, 1980 at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr., Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common Council on the 12th day of February, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 19th day of February, 1980, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of February, 1980.

CHARLES W. WESTERMAN,
CITY CLERK

2-25/3-3

City Use, after allowing all just credits, and that no part of the same

D. Roose

Title CLERK

T

notary public in and for said county and state, the

D. Roose who, being duly sworn, says

ERK of the

newspaper of general circulation printed and published

FORT WAYNE, INDIANA

that the printed matter attached hereto is a true copy,

two times the dates of publication being

/80

D. Roose

3 rd day of March 80

Notary Public

ber 28, 1983

Form 093

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTION OF CHARGES

211 lines, 1 columns wide equals 211 equivalent lines at .253¢ cents per line	$ 53.38
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra	1.50
TOTAL AMOUNT OF CLAIM.	$ 54.88

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date March 3, 19 80

Title CLERK

PUBLISHER'S AFFIDAVIT

STATE OF INDIANA, ALLEN COUNTY, SS:

Before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that he is the CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA and in said county aforesaid, and that the printed matter attached hereto is a true copy, which was published in said paper for two times, the dates of publication being as follows: 2/25 - 3/3/80

D Roose

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983

Form 993

Notice is hereby given that on the 12th day of February, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-01-20, X-01-80 Annexation Ordinance, to-wit:

BILL NO. X-80-01-20

ANNEXATION ORDINANCE NO. X-01-80

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter, of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly, by an interior angle of 88 degrees, 04', a distance of 40.5 feet; thence, Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to "Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly, by an interior angle of 88 degrees, 04', a distance of 40.5 feet; thence, Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of said Pavey's Subdivision to "Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Brecon-shire, Section 1, a distance of 1075.3 feet to the Southeast corner of Lot #14 of Brecon-shire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Brecon-shire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Brecon-shire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Brecon-shire, Section 1, a distance of 1075.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Brecon-shire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta, Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight: Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier, Talarico.

Nays: None.

Absent: One - V. Schmidt.

Date 2-12-80

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

John Nuckols, Presiding Officer

Charles W. Westerman, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 19th day of February, 1980 at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr., Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common

Accounts

ommon Council

Unit)

.....County, Ind.

General Form No. 99 P(Rev. 1967)

To.....NEWS-SENTINEL.....Dr.

.....FORT WAYNE, INDIANA.....

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ties of Ch. 89., Acts 1967.

count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

D. Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

2/25 - 3/3/80

D. Roose

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly, by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1025.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark GiaQuinta, Councilman

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight: Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schamburg, Stier, Talarico.
Nays: None.
Absent: One - V. Schmidt.
Date 2-12-80

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-80 on the 12th day of February, 1980.

ATTEST: (SEAL)

John Nuckols, Presiding Officer
Charles W. Westerman, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 19th day of February, 1980 at the hour of 3:00 o'clock A.M., E.S.T.

Win Moses, Jr., Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-80 passed by the Common Council on the 12th day of February, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 19th day of February, 1980, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of February, 1980.

CHARLES W. WESTERMAN,
CITY CLERK

2-25/3-3

Accounts

ommon Council

Unit)

County, Ind.

General Form No. 99 P(Rev. 1967)

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

st not exceed two actual lines, neither of which shall total more than four solid lines in which the body of the advertisement is set) – number of equivalent lines	
lines	
lines	209
ines	2
iber of lines in notice	211

1 columns wide equals 211 equivalent lines at .253¢ $ 53.38
r line

notices containing rule or tabular work (50 per cent of above amount)

fs of publication (50 cents for each proof in excess of two) 3 extra 1.50

IOUNT OF CLAIM. $ 54.88

amn 9.6 picas Size of type 6 point

2 Size of quad upon which type is cast 6

ties of Ch. 89., Acts 1967.

count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

D Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that he is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

2/25 - 3/3/80

D Roose

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	209
Tail	number of lines	2
	Total number of lines in notice	211

COMPUTION OF CHARGES

211 lines, 1 columns wide equals 211 equivalent lines at .253¢ cents per line	$ 53.38
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra	1.50
TOTAL AMOUNT OF CLAIM.	$ 54.88

DATA FOR COMPUTING COST

Width of single column 9.6 picas — Size of type 6 point

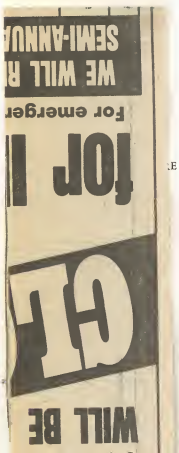
Number of insertions 2 — Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. Roose

Date March 3, 19 80 — Title CLERK



PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows: 2/25 - 3/3/80

D. Roose

Subscribed and sworn to before me this 3 rd day of March 19 80

Notary Public

My commission expires September 28, 1983